

PROPOSED CONSTITUTIONAL AMENDMENTS

SENATE JOINT RESOLUTIONS

S.J.R. No. 9

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the eligibility of a member of the legislature for another office.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article III, Section 18, of the Texas Constitution is amended to read as follows:

Sec. 18. (a) No Senator or Representative shall, during the term for which he was elected, be eligible to [(4)] any civil office of profit under this State which shall have been created~~ed~~, ~~or the emoluments of which may have been increased,~~ during such term~~ed~~, ~~or (2) any office or place, the appointment to which may be made, in whole or in part, by either branch of the Legislature~~]; provided, however, the fact that the term of office of Senators and Representatives does not end precisely on the last day of December but extends a few days into January of the succeeding year shall be considered as de minimis, and the ineligibility herein created shall terminate on the last day in December of the last full calendar year of the term for which he was elected.

(b) *If a person who served in the Legislature enters into a civil office of profit the emoluments of which are increased by the Legislature during the legislative term to which the person was elected, the person is not entitled to receive the increase in emoluments of the civil office as long as the increase authorized by the Legislature to which the person was elected is in effect. This subsection does not prohibit a person who served in the Legislature from receiving an increase in the emoluments of the civil office adopted by a subsequent Legislature.*

(c) No member of ~~[either House shall vote for any other member for any office whatever, which may be filled by a vote of the Legislature, except in such cases as are in this Constitution provided, nor shall any member of]~~ the Legislature *shall* be interested, either directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he was elected.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to provide that a member of the legislature is eligible to be elected or appointed and to serve in a different state office but may not receive an increase in compensation granted to that office during the legislative term to which he was elected."

Adopted by the Senate on February 26, 1987: Yeas 26, Nays 0; May 28, 1987, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 29, 1987, House granted request of Senate; June 1, 1987, Senate adopted Conference Committee Report; Yeas 31, Nays 0. Adopted by the House, with amendment, on May 27, 1987, by the following vote: Yeas 125, Nays 14, two present not voting; May 29, 1987, House granted request of the Senate for appointment of Conference Committee; June 1, 1987, House adopted Conference Committee Report by the following vote: Yeas 132, Nays 15, one present not voting.

Filed with the Secretary of State, June 2, 1987.